

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KRISTIN BENZINGER *on behalf of herself, individually,  
and on behalf of all others similarly-situated,*

Plaintiff,

-v-

LUKOIL PAN AMERICAS, LLC, and  
LITASCO S.A.,

Defendants.

16 Civ. 8533 (PAE)

ORDER


PAUL A. ENGELMAYER, District Judge:

On April 27, 2020, the Court granted the parties' joint request for an extension to May 15, 2020, for the submission of their proposed joint pretrial order and other required pre-trial filings, including proposed voir dire and jury charges. Dkt. 93. The Court wishes to notify counsel that, in light of the ongoing public health crisis, it presently assesses as unlikely that any jury trial will be able to be held in this Court until, at least, early September. In addition, the Court's criminal trial docket has to take priority, and the Court already has two certain criminal jury trials that had been scheduled for spring and will now need to take scheduling priority once jury trials resume. Therefore, a jury trial in this case is realistically unlikely until, at the very earliest, late fall, and depending on public health issues and other scheduling conflicts, it could easily slip into 2021.

The court's summer schedule is, however, widely open, to the extent that the parties may wish to consider a bench trial on all issues. The Court has no preference between a jury or bench trial in this case, but wanted counsel to be aware of the Court's calendar, in case the parties would have mutual interest in a bench trial. In the event of mutual consent to a bench trial, the Court would endeavor to schedule such a trial at a mutually convenient date during the summer.

The Court accordingly directs the parties to file a joint letter on the docket by May 8, 2020, that simply states—without identifying the parties’ individual views—whether all parties are prepared to consent to a bench trial on all issues.

SO ORDERED.

  
Paul A. Engelmayer  
United States District Judge

Dated: April 27, 2020  
New York, New York